



PTO/SB/21 (09-04) (AW 10/2004)

Approved for use through 7/31/2006. OMB 0651-0031

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 10/692,886

Filing Date 10/24/2003

First Named Inventor George Goicoechea

Art Unit 3731

Examiner Name Uyen T Ho

Attorney Docket No. BSI-210US7

**ENCLOSURES (Check all that apply)**

- ☒ Fee Transmittal Form  
☐ Fee Attached
- ☐ Amendment/Reply  
☐ After Final  
☐ Affidavits/Declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/  
Incomplete Application  
☐ Response to Missing Parts  
under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a  
Provisional Application
- ☐ Power of Attorney, Revocation,  
Change of Correspondence  
Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_  
☐ Landscape Table on CD

- ☐ After Allowance Communication  
to TC
- ☐ Appeal Communication to Board  
of Appeals and Interferences
- ☐ Appeal Communication to TC  
(Appeal Notice, Brief, Reply  
Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please  
identify below): PTO/SB/08b (2  
pages); 15 cited references; 1  
DVD; PTO-2038; post card  
receipt

**Remarks:****SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Firm Name RatnerPrestia

Signature

Printed Name Joshua L. Cohen

Date 8/23/2007

Registration No. 38,040

**CERTIFICATE OF TRANSMISSION / MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or Printed Name Denise Morgan

Date 8/23/2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Effective on 12/08/04.

Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL  
For FY 2007**☐ Applicant claims small entity status. See 37 CFR 1.27**Complete if Known**

Application Number	10/692,886
Filing Date	10/24/2003
First Named Inventor	George Goicoechea
Examiner Name	Uyen T Ho
Art Unit	3731
Attorney Docket No.	BSI-210US7

**TOTAL AMOUNT OF PAYMENT** (\$) 180**METHOD OF PAYMENT** (check all that apply)☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: **18-0350** Deposit Account Name: **RatnerPrestia**

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, **except for the filing fee**  
☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

**2. EXCESS CLAIM FEES****Fee Description**Each claim over 20 (including Reissues)  
Each independent claim over 3 (including Reissues)  
Multiple dependent claims

Small Entity	
Fee (\$)	Fee (\$)
50	25
200	100
360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP = _____	x _____	= _____	_____	_____	_____	_____

HP = highest number of total claims paid for, if greater than 20

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP = _____	x _____	= _____	_____

HP = highest number of independent claims paid for, if greater than 3

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 = _____	/ 50 = _____	(round up to a whole number) x _____	= _____	_____

**4. OTHER FEE(S)**Non-English Specification, \$130 fee (no small entity discount)  
Other (e.g., late filing surcharge): **IDS fee****Fees Paid (\$)**  
180.00**SUBMITTED BY**

Complete (if applicable)

Signature	<i>Joshua L. Cohen</i>	Registration No. Attorney/Agent)	38,040	Telephone	610-407-0700
Name (Print/Type)	Joshua L. Cohen	Date	8/23/2007		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appln. No: 10/692,886  
Applicant: George Goicoechea et al.  
Filed: October 24, 2003  
Title: BIFURCATED ENDOLUMINAL PROSTHESIS  
TC/A.U.: 3731  
Examiner: Uyen T Ho

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

08/27/2007 HDESS1 00000068 10692886

01 FC:1806

180.00 OP

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the documents listed on the PTO/SB/08b submitted herewith. Copies of the documents and the DVD listed on the PTO/SB/08b are enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

These references, and the videocassette version of the DVD submitted herewith, were previously identified on pages 11 and 12 of a PTO/SB/08a form filed with an Information Disclosure Statement on December 2, 2005. Copies of the references and the video cassette were not provided on December 2, 2005 because it was believed that they had previously been submitted to the PTO in a priority application.

The aforesaid 12 page PTO/SB/08a was attached to an Office Action dated March 29, 2006. The Examiner did not initial pages 11 and 12 of the aforesaid PTO/SB/08a. Instead, the Examiner wrote "no copy" on pages 11 and 12.

Applicants responded to the March 29, 2006 Office Action on August 7, 2006. Part of the March 29, 2006 response, supported by exhibits, explained why Applicants believed the references on the aforesaid pages 11 and 12 had previously been submitted to the PTO in a priority application. The Exhibits included copies of previously submitted Forms PTO-1449 showing that the items listed on pages 11 and 12 had previously been submitted in a priority application. Page 3 of the response stated, in part:

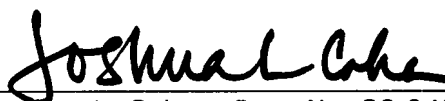
The PTO is able to review all of the references listed on pages 11 and 12 because they have been submitted to the PTO in the '881 application. If, however, the PTO is unable to locate any of these references, Applicants will supply another copy of them.

In an Office Action dated January 23, 2007, the PTO expressed a belief that the exhibits filed with the August 7, 2006 response failed to comply with 37 C.F.R. § 1.98(a)(1). The PTO did not state whether or not it could locate the items listed on the aforesaid pages 11 and 12.

Nevertheless, to expedite prosecution, Applicants are resubmitting herewith the items that had been listed on the aforesaid pages 11 and 12 for the Examiner's consideration.

More than three months have elapsed since the filing of the above-referenced application and a first (non-Final) Official Action has been received. No Final Action or Notice of Allowance has yet been received and it is presumed that none has yet been mailed. Accordingly, the required fee set forth in 37 C.F.R. § 1.17(p) is provided herewith.

Respectfully submitted,



Joshua L. Cohen, Reg. No. 38,040  
Stanley Weinberg, Reg. No. 25,276  
Attorneys for Applicants

JLC/SW/dhm

Enclosures: PTO/SB/08b (2 pages)  
(15) References  
(1) DVD  
PTO-2038  
Fee Transmittal  
Transmittal Form

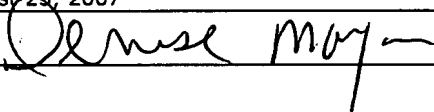
Dated: August 23, 2007

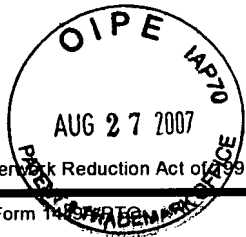
P.O. Box 980  
Valley Forge, PA 19482  
(610) 407-0700

The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

August 23, 2007

A handwritten signature in cursive script, appearing to read "Denise May", is written over a horizontal line.



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Substitute for Form 1482

**Complete if Known****INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT***(Use as many sheets as necessary)***SHEET 1 of 2**

Application Number	10/692,886
Filing Date	October 24, 2003
First Named Inventor	George Goicoechea et al.
Art Unit	3731
Examiner Name	Uyen T. Ho
Attorney Docket No.	BSI-210US7

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**NON-PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		DVD copy of a Video cassette allegedly showing operation conducted by Geoffrey H. White on November 26, 1993	<input type="checkbox"/>
		Declaration of Geoffrey H. White executed February 18, 2000	<input type="checkbox"/>
		Declaration of Ian L. Gordon executed June 17, 2000	<input type="checkbox"/>
		Declaration of W. Davis dated February 28, 2000	<input type="checkbox"/>
		Declaration of Mark Dehdashtian dated June 16, 2000	<input type="checkbox"/>
		Communication of a Notice of Opposition dated January 26, 2001 for EP 783 873 (including Notice of Opposition)	<input type="checkbox"/>
		Communication of a Notice of Opposition dated January 26, 2001 for EP 783 874 (including Notice of Opposition)	<input type="checkbox"/>
		DOTTER et al., "Transluminal Expandable Nitinol Coil Stent Grafting: Preliminary Report," Technical Developments and Instrumentation, Radiology, April 1983, pp. 259-260, Vol. 147	<input type="checkbox"/>
		SCHETKY, "Shape-Memory Alloys," Scientific American, Nov. 1979, pp. 74-82	<input type="checkbox"/>
		K. OTSUKA et al., "Shape-Memory Alloys - Pseudoelasticity," Metals Forum., 1981, pp. 142-153, Vol. 4, No. 3	<input type="checkbox"/>
		CRAGG et al., "Nonsurgical Placement of Arterial Endoprostheses: A New Technique Using Nitinol Wire," Radiology, April 1983, pp. 261-263, Vol. 147, No. 1	<input type="checkbox"/>
		CRAGG et al., "Percutaneous Arterial Grafting," Radiology, 1984, pp. 45-49, Vol. 150, No. 1	<input type="checkbox"/>
		T.W. DUERIG et al., "An Engineer's Perspective of Pseudoelasticity," pp. 369-393	<input type="checkbox"/>
		CRAGG et al., "Stents Vascular Stents," Interventional Radiology, 1990, pp. 686-692	<input type="checkbox"/>

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

<sup>1</sup>Applicant's unique citation designation number (optional).

<sup>2</sup>Applicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

**SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Substitute for Form 1449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/692,886
Filing Date	October 24, 2003
First Named Inventor	George Goicoechea et al.
Art Unit	3731
Examiner Name	Uyen T. Ho
Attorney Docket No.	BSI-210US7

SHEET 2 of 2

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**NON-PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		Office Action of Canadian Intellectual Property Office for Application No. 2,182,982 dated June 14, 2004	<input type="checkbox"/>
		Notice of Reasons of Rejection of Japan Patent Office Application No. H07-521275 dated May 18, 2004	<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

<sup>1</sup>Applicant's unique citation designation number (optional).

<sup>2</sup>Applicant is to place a check mark here if English language translation is attached.

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**SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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